

FILED
5/1/2025

KSR

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURTUNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOISMARY MADISON,
Plaintiff,

v.

Civil Action No. Case No. 23CV16476
Honorable Judge Manish S. ShahCREATIVE WERKS, LLC,
and Steve Schroeder, individually,
Defendants.**PLAINTIFF'S MOTION FOR JUDGMENT ON THE PLEADINGS**

Plaintiff, pursuant to Federal Rule of Civil Procedure 12(c), respectfully moves this Honorable Court for judgment on the pleadings in her favor and against Defendants. As grounds for this motion, Plaintiff states:

1. The pleadings, admissions, and record evidence demonstrate that Defendants engaged in unlawful retaliation under Title VII, the Food Safety Modernization Act ("FSMA"), 42 U.S.C. § 1981, and 42 U.S.C. § 1985(3).
2. Defendants' Answer consists primarily of conclusory denials without factual support and fails to contest key material facts.
3. Defendants' affirmative defenses are legally insufficient under Rule 8(c) and should be dismissed.

4. Judicial admissions in Defendants' pleadings, including admissions in footnotes, conclusively establish elements of Plaintiff's claims.

5. Defendants waived arguments and affirmative defenses by failing to contest hostile work environment claims, Plaintiff's § 1981 and § 1985(3) claims or by presenting only undeveloped defenses.

6. Plaintiff has properly stated and supported claims for race-based discrimination, retaliation, disparate treatment, hostile work environment, de facto termination, and contract interference under 42 U.S.C. § 1981, as well as race- and sex-based discrimination, retaliation, disparate treatment, and hostile work environment under Title VII. Defendants subjected Plaintiff to adverse employment decisions through contrived schemes that caused harm, while Plaintiff's similarly situated comparator was not subjected to the same treatment, despite violating company policy and public regulations, further reinforcing pretext and unlawful discriminatory intent

7. Plaintiff has properly stated and supported claims for conspiracy under 42 U.S.C. § 1985(3) based on Defendants' coordinated retaliatory acts, including hiring an expert witness to further their scheme.

WHEREFORE, Plaintiff respectfully requests that this Court grant judgment on the pleadings in her favor, strike Defendants' affirmative defenses, and award such other and further relief as this Court deems appropriate.

Submitted: May 1, 2025

Mary Madison
/S/ Mary Madison
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CERTIFICATE OF SERVICE

The undersigned, Mary Madison, certifies that on May 1, 2025, I caused to be served true and correct copies of the foregoing **PLAINTIFF'S RULE 12(C) MOTION FOR JUDGEMENT ON THE PLEADINGS** by causing a copy to be served on the persons identified on the docket's service list through Notice of Electronic Filing generated by the Court's CM/ECF system:

Respectfully submitted,

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